

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Rajeev A. JAIN et al.

Title: CONTROLLED RELEASE NANOPARTICULATE COMPOSITIONS

Appl. No.: 09/337,675

Filing Date: 06/22/1999

Examiner: Susan T. Tran

Art Unit: 1615

Confirmation Number:
9275

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(c), before the mailing date of either a final action under 37 CFR §1.113, a notice of allowance under 37 CFR §1.311, or an action that otherwise closes prosecution in the application.

RELEVANCE OF EACH DOCUMENT

The listed document nos. A6-A8 were cited in the attached Notice of Rejection issued for Japanese Patent Application No. 2002-528199. Cite Nos. A2-A3 are the U.S. equivalents to those foreign documents. Cite Nos. A1, A4-A5 are cited from the attached Office Actions for related U.S. Patent Application Nos. 10/667,470, 11/898,274, and 11/979,231.

STATEMENT(S)

The undersigned hereby states in accordance with 37 CFR §1.97(e)(1) that each item of information contained in this supplemental information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to filing of this Statement. *See Cite Nos. A2-A3 and A6-A8.*

With respect to the three (3) Office Actions cited by the Examiners in related U.S. Application Nos. 10/667,470, 11/898,274, and 11/979,231. The undersigned hereby states in accordance with 37 CFR §1.97(e)(2) that no item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of the information disclosure statement. *See Cite Nos. A1, A4-A5, and A9-A11.*

Applicants respectfully request that the listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

Although Applicant believes that no fee is required for this Request, the Commissioner is hereby authorized to charge any additional fees which may be required regarding this submission under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

By Michele M. Simkin

Date: December 12, 2008

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